

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

vs.

**DAVID MAIS**

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**2:00cr54  
Electronic Filing**

**ORDER OF COURT**

AND NOW, this 8th day of November, 2006, the government having filed a Motion for Continuance (Document No. 30), counsel for defendant having indicated no objection to the motion, and upon due consideration,

IT IS ORDERED that the trial scheduled for November 13, 2006, is hereby rescheduled to **Monday, January 8, 2007, at 9:30 a.m.**, in Courtroom No. 7A, 7th Floor, United States Post Office and Courthouse, Pittsburgh, PA 15219. **Defendant is required to be present;**

IT IS FURTHER ORDERED that any request for special voir dire which counsel intend to submit shall be filed no later than **December 18, 2006**. A motion for voir dire will not be accepted after that date and any request therein will be considered by the court to have been waived absent good cause shown for the untimely submission of the motion; and

IT IS FURTHER ORDERED that all points for charge shall be filed on or before **December 18, 2006**. Points for charge submitted after that date will be considered by the court to have been waived unless the moving party demonstrates that the need for the point could not have been anticipated on or before that date.

IT IS FURTHER ORDERED that the time from November 7, 2006, through January 8, 2007, be deemed excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161 et seq. Specifically, the court finds that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant to a speedy trial. 18 U.S.C. § 3161 (h)(8)(A). For the reasons stated in the government's motion, the failure to grant such a

continuance would deny counsel for defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv).

s/ David Stewart Cercone  
David Stewart Cercone  
United States District Judge

cc: Gregory J. Nescott, AUSA

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United States Marshal's Office

United States Probation Office

Pretrial Services